

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
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)
V.) Criminal No. 1:20-CR-10145-FDS
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)
SHAWN HERRON)
)

MOTION TO SUPPRESS STATEMENTS

The defendant, Shawn Herron, in the above-entitled matter moves this Court to suppress as evidence at trial the following:

- (1) Any and all verbal statements of the defendant allegedly given and/or made to United States Postal Service - Office of Inspector General Special Agent Thomas DiCarlo and/or United States Postal Inspector Jim Foley on February 11, 2020 at the Federal Post Office, 2 Government Center, Fall River, MA.
- (2) Any and all written statements of the defendant included in a four (4) page "sworn statement" made by the defendant on February 11, 2020 at 1:26 p.m. in the presence of United States Postal Service – Office of Inspector General Special Agent Thomas DiCarlo at the Federal Post Office, 2 Government Center, Fall River, MA.
- (3) The fruits of the said unlawfully obtained verbal and written statements, as outlined in paragraphs 1 and 2 above, including but not limited to any and all further investigation of the defendant by United States Postal Service Inspectors and/or by other law enforcement officers in regard to the charges herein and/or in regard to the defendant's knowledge of and involvement with missing express and priority parcels from the United States mail, deriving from or otherwise predicated on the said verbal and/or written statements of the defendant.

In support of this motion, the defendant states that the said verbal and written statements were obtained in violation of his assertion of his right to counsel, guaranteed him by the Fifth and Sixth Amendments to the Constitution of the United States, prior to his being questioned by postal inspectors, and prior to his giving or making the said verbal and written statements on February 11, 2020 at the Federal Post Office in Fall River, MA.

WHEREFORE, because the aforementioned verbal and written statements were obtained in violation of the defendant's rights to counsel guaranteed him by the Fifth and Sixth Amendments to the Constitution of the United States, the defendant prays that this Court suppress the said statements and not allow their introduction in evidence at trial.

Respectfully submitted
By his attorney,

/s/ Bernard Grossberg

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CERTIFICATE OF SERVICE

I, Bernard Grossberg, hereby certify that on April 27, 2021, I served a true copy of the **Motion To Suppress Statements** upon Assistant United States Attorney, Eugenia Carris, Office of the United States Attorney, 1 Courthouse Way, Boston, MA 02210 by electronic filing to all registered users.

/s/ Bernard Grossberg

Bernard Grossberg